

**MINUTES OF THE REORGANIZATIONAL MEETING HELD  
JANUARY 5, 2010**

The Re-organizational Meeting of the Borough of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:30 P.M.

Roll Call: Higgins, Gleba, Boyle, Valentine, McDonald, Housel, Cioni

Also Present: Richard Phelan, Borough Manager  
Richard P. Cushing, Esq., Municipal Attorney  
Kristine Blanchard, RMC Borough Clerk

The Flag Salute was led by the Mayor.

The Mayor read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law’ P.L. 1975, Chapter 231 have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board stating the time, place and purpose of the meeting as required by law.

**Mayor’s Year End Message**

Mayor McDonald read his year-end message that summarized the events and accomplishments of the governing body during the year.

***Changes***

The year of 2009 saw a great deal of change in our community. It started with me as the new Mayor, and two new council members, Pat Boyle and John Valentine. Later in the year, there was the resignation of Christina Woykowski from council, and the appointment of Jeanine Gleba to replace Mrs. Woykowski. It was clear that the voters of Washington Borough wanted a change in the way we do our business. I believe we have made many changes in the way we do business, which will ensure the long term good of our community.

Other changes that benefit us include the hiring of a new manager, Mr. Richard Phelan. Mr. Phelan recognized the difficulties that we face, and jumped right in with both feet. He established accountability among our employees, and professional consultants. He established a purchasing manual, which lays out the procedures for buying goods and services that comply with state statutes. He has worked diligently with our Auditor and Chief Financial Officer to ensure that we are in compliance with state law in regards to the way we handle our finances.

This brings me to another change. We have a new auditor, Mr. Tom Ferry of Ferraiolo, Wielkotz, Cerullo & Cuvo. Mr. Ferry has gone above and beyond the normal call of duty for us. He has made himself available to us whenever we ask. He was also instrumental in our receiving

extraordinary aid in the amount of \$550,000 from the State of New Jersey. We look forward to working with Mr. Ferry in the future.

Another significant change has been the Chief Financial Officer. We hired one early this year, who left us shortly thereafter for a community in more dire financial straights than we are. We have since hired Natasha Turchan as our part time Chief Financial Officer. She is making great progress in setting up our accounting software, so that things are entered properly, and unneeded line items are deleted. I wish we had the money to pay her for more hours, so we could get this up to speed faster.

### ***Financial Issues***

While campaigning for Mayor, I was informed by our then manager, Mr. Corica, that we would be looking at a tax rate increase of between six and eight cents per hundred dollars of assessed value. As our new manager and auditor looked at our finances, it became apparent that a tax rate increase of over thirty cents would be necessary. It was also discovered that our surplus was less than twenty thousand dollars. This shocked every member of council. We knew we had to make drastic changes, and we did.

We started by laying off one full time and three part time employees. We cut the hours at the library. We have been re-negotiating our contract with the union employees. We are constantly looking for ways to cut our budget without violating New Jersey state laws or their mandates.

We also finished the police consolidation with Washington Township. This is the beginning of many services we hope to share with our neighboring communities. Our congratulations go to all who worked on this money saving endeavor.

As many of you are aware, the New Jersey Comptrollers Office has been auditing Washington Borough. The Comptroller has given us a report that detailed where we were found to be deficient. Subsequently, we have filed a corrective action plan for those deficiencies. The Comptrollers has come back to see if we are making progress, and following our corrective action plan. As of this writing, we have not received their report, but are confident they will find we have made significant improvements.

Our debt load is our most troubling challenge. Over the previous four years, our debt ballooned from about four million dollars to over twelve million dollars. Debt service payments for year 2010 will consume about twenty percent of our budget.

### ***Going Forward***

Although we realize there are no quick fixes, we will be concentrating on lowering our debt. The best way to do this is to live within our means. There will not be a lot of projects going on unless we can pay cash for them.

We will be looking for every shared service we can find. Any cost savings from this will be examined, no matter how large or small it may be. We will continue our partnership with the

Business Improvement District so that we may co-operate on projects like our new parking lot downtown.

We will continue the oversight of our accounting practices. It is imperative that we never again over expend a line item. We must ensure that all line items are entered properly. All purchases will comply with the new purchasing manual. Every penny must be justified before it is spent.

We must improve the image of our community. We can't let petty disagreements escalate into personal attacks. We must take pride in our own properties and the property of the community. When the economy turns for the better we must be ready to take advantage of it.

The Business Improvement District is a very important aspect of our town. A strong, vibrant downtown is vital to our image and our economic viability. We will be well positioned to attract the new small businesses when they are ready to open.

### ***How can you help***

The governing body can not do it all. We need your help to make Washington Borough live up to its potential. Here are some things you can do to help.

Recycle everything you can. Garbage and recycling are included in the taxes. It is more expensive to remove trash than it is to recycle paper, plastic, glass, and cans. You can help lower your taxes by recycling.

Take care of Borough owned property. Every act of vandalism increases your taxes! It doesn't matter if it's graffiti, the stealing or damage of street signs, or the outright destruction of borough owned property. It increases your taxes! If you witness any of these acts, please call the police immediately.

If at all possible, pay your taxes on time. Even a partial payment will help. We have had to borrow money to pay our bills also. The less we have to borrow, the less interest we will pay, and ultimately, the less you will need to give us. Partial payments could also lower the interest rate for the balance you may owe.

Shopping in Washington when possible will give a boost to our local economy. If we support our businesses, more businesses will come to town. The more businesses we have in town, the more revenue that will come to the town. The increase in revenue will help lower the taxes! The more businesses that we have, the more jobs we will have.

We have a number of volunteer opportunities in our community. Help us out. Donate some of your time and talent to make Washington Borough a better place to live. I have.

### **Holiday House Decorating Contest Winners**

Recreation Director, Gary Masenior presented the awards for the 2009 Holiday House Decorating Contest. This year's winners received a certificate, a 2010 family pool pass, and a gift basket. The winners were:

Pacheco Family - 63 Lenape Trail  
Schlader Family - 4 James Street  
John & Mel Murphy - 192 1/2 W. Washington Avenue  
Robinson Family - 22 Lambert Street  
Jozowski Family - 1 Sunrise Terrace

### **Nominations of Deputy Mayor**

Councilman Higgins motioned to nominate Councilman Boyle as Deputy Mayor, seconded by Councilman Boyle.

Councilman Cioni motioned to nominate Councilman Housel as Deputy Mayor, seconded by Councilman Valentine.

Roll Call – Councilman Boyle Nomination

Higgins, Boyle – Yes  
Cioni, Valentine, McDonald, Gleba, Housel – No

Roll Call - Councilman Housel Nomination

Cioni, Valentine, McDonald, Gleba, Housel, Boyle - Yes  
Higgins – No

Attorney Cushing administered the Oath of Office to Deputy Mayor Housel.

### **Managerial Appointments**

The following appointments were made by Borough Manager Richard Phelan:

**Borough Treasurer** – Kay Stasyshan

#### **Emergency Management Council**

Frank LeClaire	Emergency Management Coordinator
Capt. Charles Van Deursen	Washington Emergency Squad
Chief Kurt Klausfelder	Washington Borough Fire Department
Kevin Shoudt	Veolia Water, N.A.
John Burd	Superintendent – Department of Public Works

Chief Jim McDonald  
Charles T. Housel  
Scott McDonald  
Richard Phelan  
Andrew Holt  
Eddie Dalton  
Kevin Kuchova

Washington Township Police Department  
Council Representative  
Mayor  
Borough Manager  
Borough Engineer  
BASF Corp.  
Warren Lumber

**RESOLUTIONS:**

**Resolution #1-2010 – Temporary Budget**

The following Resolution was moved by Housel, seconded by Cioni and adopted:

Roll Call: Higgins, Valentine, Boyle, Gleba, Housel, Cioni, McDonald.

Ayes: 7, Nays:  
Motion Carried

**RESOLUTION #1-2010**

**A RESOLUTION PROVIDING FOR  
TEMPORARY CURRENT FUND  
APPROPRIATIONS**

**WHEREAS**, N.J.S.A. 40A: 4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2010 Budget, temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

**WHEREAS**, the date of this resolution is within the first thirty days of January, 2010; and

**WHEREAS**, the total appropriation in the 2010 budget, exclusive of any appropriations made for interest, and debt redemption charges, grants and capital improvements, is the sum of \$1,412,757.64; and

**WHEREAS**, 26.25% of the total appropriations in the 2009 Budget, exclusive of any appropriation made for interest and debt redemption charges, grants and capital improvements in said 2009 Budget is the sum of \$1,589,485.71

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey do hereby make the following temporary appropriations per the attached:

**TOTAL APPROPRIATIONS WITHIN 26.25% LIMITATION** **\$1,412,757.64**

**TOTAL CAPITAL AND DEBT SERVICE** **\$852,468.37**

**TOTAL ALL TEMPORARY APPROPRIATIONS:****\$2,265,226.01**

<b>Account Description</b>	<b>2010 Temporary Budget</b>
CURRENT FUND	
GENERAL ADMIN SW	38,645.50
GENERAL ADMIN OE	7,664.75
	-
MAYOR & COUNCIL Part Time	3,625.00
MAYOR & COUNCIL OE	2,324.50
	-
CLERK SW	16,903.25
CLERK OE	3,408.38
	-
FINANCIAL ADMIN SW	21,769.00
FINANCIAL ADMIN OE	1,920.00
	-
AUDIT SERVICES Contractual Services	24,850.00
	-
TAX COLLECTION SW	24,514.00
TAX COLLECTION OE	1,540.00
TAX ASSESSMENT SW	9,419.25
TAX ASSESSMENT OE	5,625.00
LEGAL OE	20,239.50
ENGINEERING Contractual Services	11,800.00
DOWNTOWN REDEV OE	2,500.00
PLANNING BOARD Part Time	936.50
PLANNING BOARD OE	1,921.63
BOARD OF ADJ Part Time	1,121.25
BOARD OF ADJ OE	1,587.50
LOCAL CODE ENF SW	13,757.25
LOCAL CODE ENF OE	468.75
P.E.O.S.H.A	509.97
LIABILITY INSURANCE	99,615.00

WORKER'S COMP

GROUP HEALTH INSURANCE	101,856.00
UNEMPLOYMENT INSURANCE	5,000.00
POLICE DEPT SW	18,010.54
POLICE DEPT OE	450,000.00
EMERGENCY MGMT Part Time	753.75
EMERGENCY MGMT OE	250.00
FIRE DEPT OE	8,950.00
FIRE & SAFETY CODE ENF SW	5,633.50
FIRE & SAFETY CODE ENF OE	1,702.50
FIRE HYDRANTS Fire Hydrant Charges	17,125.00
MUNICIPAL PROSECUTOR	6,000.00
STREETS & ROADS SW	88,253.50
STREETS & ROADS OE	31,495.88
SOLID WASTE COLLECTION OE	86,100.00
BUILDINGS & GROUNDS SW	3,015.00
BUILDINGS & GROUNDS OE	7,204.00
SHADE TREE COMMISSION SW	234.75
SHADE TREE COMMISSION OE	5,103.75
ANIMAL CONTROL Part Time	2,515.00
RECREATION SW	
RECREATION SW - Part-Time	9,533.50
RECREATION OE	12,540.50
MUNICIPAL LIBRARY SW	37,500.00
MUNICIPAL LIBRARY OE	14,303.75

ELECTRICITY	15,500.00
TRAFFIC LIGHTS OE	18,000.00
TELEPHONE	10,000.00
WATER	1,500.00
NATURAL GAS	7,000.00
HEATING OIL	2,750.00
SEWAGE DISPOSAL	
GASOLINE & DIESEL	5,000.00
SOLID WASTE DISPOSAL	45,000.00
SOCIAL SECURITY	40,000.00
DCRP	785.00
MUNICIPAL COURT SW	34,290.50
MUNICIPAL COURT OE	1,685.25
PUBLIC DEFENDER - Legal Services	1,500.00
CAPITAL IMPROVEMENT	90,000.00
BOND PRINCIPAL	275,000.00
PAYMENT OF BAN & CAPITAL NOTES	50,000.00
TAX ANTICIPATION NOTES - INTEREST	40,000.00
INTEREST ON BONDS	303,141.25
INTEREST ON NOTES	54,624.71
GREEN TRUST LOAN PRIN & INTEREST	39,702.41
	<b>2,265,226.01</b>

**Resolution #2-2010– Temporary Budget for Municipal Sewer Utility**

The following Resolution was moved on a motion made by Housel, seconded by Cioni and adopted:

Roll Call: Higgins, Boyle, Cioni, Housel, Valentine, Gleba, and McDonald.

Ayes: 7, Nays: 0

Motion Carried

**A RESOLUTION PROVIDING FOR TEMPORARY SEWER UTILITY  
APPROPRIATIONS**

**WHEREAS**, N.J.S.A. 40A: 4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2010 Budget, temporary appropriations should be made for the purpose and amount required in the manner and time therein provided; and

**WHEREAS**, the date of this resolution is within the first thirty days of January, 2010; and

**WHEREAS**, the total appropriations in the 2009 sewer utility budget, exclusive of any appropriations made for interest, and debt redemption charges, grants and capital improvements, is the sum of \$290,984.64; and

**WHEREAS**, 26.25% of the total appropriations in the 2009 Budget, exclusive of any appropriation made for interest and debt redemption charges, grants and capital improvements in said 2009 Budget is the sum of \$317,352.79

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey do hereby make the following temporary appropriations per the attached:

**TEMPORARY APPROPRIATIONS – 2010 SEWER UTILITY**

Operations:

Salary and Wages	\$20,177.56
Other Expenses	\$269,263.50
Social Security	\$1,543.58

**TOTAL APPROPRIATIONS WITHIN**

**26.25% LIMITATION: \$290,984.64**

Capital and Debt Service

Bonds Principal	\$92,000.00
Bonds Interest	\$33,266.38
Environmental Trust / Fund Principal and Interest	\$1,214,473.04

**TOTAL CAPITAL AND DEBT SERVICE:                    \$1,339,739.42**

**TOTAL ALL TEMPORARY APPROPRIATIONS:    \$1,630,724.06**

**Resolution #3-2010 – Depositories/Cash Management Plan**

The following Resolution was moved on a motion made by Cioni, seconded by Housel and adopted.

Roll Call:        Valentine, Boyle, Higgins, Housel, Gleba, Cioni, and McDonald.

Ayes: 7, Nays: 0

Motion Carried.

**RESOLUTION ESTABLISHING A CASH  
MANAGEMENT PLAN AND NAMING  
OFFICIAL CASH DEPOSITORIES**

**WHEREAS**, NJSA 40A: 5-14 mandates that a Governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

**WHEREAS**, NJSA 40A: 5-15.1 amended by Chapter 148, P.L. 1997 established new requirements for the investment of public funds and adoption of a cash management plan for counties, municipalities and authorities; and

**WHEREAS**, the Borough Council of the Borough of Washington, County of Warren wish to comply with the above statutes;

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Washington, County of Warren adopts the following cash management plan, including the official depositories for the Borough of Washington, County of Warren for the period January 1, 2010 through December 31, 2010.

**CASH MANAGEMENT PLAN OF THE  
BOROUGH OF WASHINGTON,  
COUNTY OF WARREN**

**I.        STATEMENT OF PURPOSE**

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Borough of Washington, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

**II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN**

- A. The plan is intended to cover all deposits and/or all investments of the funds of the Borough of Washington including but not limited to:

Current Fund  
Payroll Trust Fund  
Agency Account  
Sewer Utility Revenue Account  
Developers’ Escrow Trust Funds  
Municipal Court General Account  
Municipal Court Bail Account  
Open Space Accounts  
Green Trust Accounts  
Outside Employment Accounts  
General Capital Account  
Sewer Capital Account  
Regular Trust Accounts

**III. DESIGNATION OF OFFICIALS AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN**

The Chief Financial Officer (the “Designated Official”) is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough of Washington are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgement kept on file with such officials.

The Chief Financial Officer is further authorized to make interfund transfers between the Borough Funds as may be necessary from time to time. The Chief Financial Officer is authorized to make such transfers and/or any and all payments by wire transfer as necessary.

**IV. DESIGNATION OF DEPOSITORIES**

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

TD Bank  
Sovereign Bank  
Bank of America  
PNC Bank  
Wachovia  
Investors Savings  
The Depository Trust Company  
First Hope Bank  
Provident

Money Market Investment Accounts and/or Certificates of Deposit

Bank of America  
TD Bank  
MBIA-Class Management Unit Trust  
NJ ARM Program  
NJ Cash Management Fund  
North Fork Bank  
PNC Bank  
Sovereign Bank  
Valley National Bank  
Millington Savings Bank  
Provident  
First Hope Bank  
The Depository Trust Company  
Investors Savings  
Wachovia

**All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official(s) referred to in Section III above.**

**V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.**

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Borough of Washington referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official (s) referred to in Section III above.

Bank of America  
TD Bank  
MBIA-Class Management Unit Trust  
NJ ARM Program  
NJ Cash Management Fund  
North Fork Bank  
PNC Bank  
Sovereign Bank  
Valley National Bank  
Millington Savings Bank  
Provident  
First Hope Bank  
The Depository Trust Company  
Investors Savings  
Wachovia

## **VI. AUTHORIZED INVESTMENTS**

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of the school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;

- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L.1977, ch. 281 (C.52: 18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - (a) The underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a:
  - (b) The custody of collateral is transferred to a third party;
  - (c) The maturity of the agreement is not more than 30 days;
  - (d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17: 19-41); and
  - (e) A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “governmental money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund

An investment company or investment trust:

- (a) Which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 USC sec. 80a-1 et seq., and operated in accordance with 17 CFR sec. 270.2a-7.
- (b) The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) Which has:
  - (1) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - (2) Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool

An investment pool:

- (a) Which is managed in accordance with 17 C.F.R. sec 270.2a-7;
- (b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52: 14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investment;
- (e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected at the time of interest rate adjustment, to have a market value that approximates their par value, or net asset value; and
- (f) Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C49: 3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in the U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

**SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGEMENT OF RECEIPT OF PLAN.**

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of Washington, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough of Washington to assure that there is no unauthorized use of the funds or the Permitted Investments that involve Securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Borough of Washington or by a third party custodian prior to or upon the release of the Borough of Washington’s funds.

To assure that all parties with whom the Borough of Washington deals either by way of Deposits or Permitted Investments are aware of the authority and the limits sets forth in the Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s)

## **REPORTING REQUIREMENTS**

At the public meeting of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Borough of Washington a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough of Washington as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough of Washington.

### **TERM OF THE PLAN**

This plan shall be effective January 1, 2010 through December 31, 2010. The Plan may be amended from time to time as necessary.

To the extent that any amendment is adopted by the Borough Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise

have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

**Resolution #4-2010 – Interest Rates on Taxes**

The following Resolution was moved by Cioni, seconded by Valentine and adopted:

Roll Call: Boyle, Higgins, Valentine, Housel, McDonald, Gleba, Cioni

Ayes: 7, Nays: 0

Motion Carried

**RESOLUTION 4-2010**

**INTEREST RATES- TAXES**

**N.J.S.A. 54:4-67:39**

**WHEREAS**, municipal charges; namely taxes are payable in quarterly installments on **February 1<sup>st</sup>, May 1<sup>st</sup>, August 1<sup>st</sup> and November 1<sup>st</sup>** in each year, and installments become delinquent if not paid on or before those dates.

**BE IT THEREFORE RESOLVED**, that Council does hereby authorize an interest charge not to exceed eight (8%) percent per annum on the first \$1,500.00 of the delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 upon all delinquent installments; and

**BE IT ALSO RESOLVED**, that Council does hereby authorize a penalty to be charged to a taxpayer with a delinquency in excess of \$ 10,000.00 who fails to pay that delinquency prior to the end of the calendar year. The penalty so fixed shall not exceed six (6) percent of the amount of the delinquency.

**BE IT FURTHER RESOLVED**, that any installments received after the expiration of the grace period, and such grace period shall be the period starting with the second day and ending on the ten (10<sup>th</sup>) day of the month in which taxes are due, shall bear interest at the applicable interest rate from the original due date.

**Resolution #5-2010 – Sewer Interest Charges**

The following Resolution was moved by Cioni, seconded by Valentine and adopted.

Roll Call: Valentine, Higgins, Boyle, Housel, Gleba, Cioni and McDonald.

Ayes: 7, Nays: 0

Motion Carried

**RESOLUTION #5-2010**

**SEWER INTEREST RATES**

**WHEREAS**, municipal charges, namely sewer are payable in monthly installments due on the 10<sup>th</sup> of the following month after billing, and the monthly installments becoming delinquent if not paid on or before those dates.

**BE IT THEREFORE RESOLVED**, that Council does hereby authorize an interest charge not to exceed eight (8%) percent per annum on the first \$1,500.00 of the delinquency and eighteen (18%) per annum on any amount in excess of \$1,500.00 upon all delinquent installments; and

**BE IT ALSO RESOLVED**, that Council does hereby authorize a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year. The penalty so fixed shall not exceed six (6%) percent of the amount of the delinquency.

**BE IT FURTHER RESOLVED**, that any installments received after the expiration of the grace period, and such grace period shall be the period starting with the second day and ending on the forty-fifth (45<sup>th</sup>) day after billing, shall bear interest at the applicable interest rate from the original due date.

**BE IT FURTHER RESOLVED**, that the Tax Collector of the Borough of Washington is hereby authorized to conduct the annual sale of delinquent municipal charges, namely sewer for the Calendar Year of 2009.

**Resolution #6-2010 – Deputy Borough Clerk**

The following Resolution was moved by Boyle, seconded by Valentine and adopted.

Roll Call: Boyle, Valentine, Higgins, Housel, McDonald, Cioni, and Gleba.

Ayes: 7, Nays: 0

Motion Carried

**RESOLUTION 6-2010**

**DEPUTY BOROUGH CLERK**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, under this plan the Council of the Borough is directed and authorized to appoint the **Deputy Borough Clerk** for the Borough of Washington, New Jersey.

**BE IT RESOLVED**, that Ann Kilduff is hereby appointed for a term ending December 31, 2010.

**Resolution #7-2010 – Municipal Attorney**

The following Resolution was moved by Cioni, seconded by Valentine and adopted.

Councilman Higgins stated that the other proposals were cheaper overall than Attorney Cushing’s proposal. He also noted that Attorney Cushing lowered his retainer to \$50,000 on December 18, 2009, the day after Council held interviews with other potential candidates. Attorney Cushing explained that he felt during these economic times it would be in the best interest of the Borough to lower his retainer and had sent an email to Council outlining the reasons why.

Roll Call: Cioni, Valentine, McDonald – Yes  
Higgins, Gleba – No  
Boyle - Abstain

Ayes: 3  
Nays: 2  
Abstentions: 1  
Motion Carried

**Resolution 7-2010**

**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT WITH GEBHARDT & KIEFER FOR MUNICIPAL ATTORNEY SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Attorney; and

WHEREAS, the Borough Council of the Borough of Washington is awarding this contract under a “fair and open process” that has included public solicitation of qualifications; and

WHEREAS, publicly advertised requests for qualifications were posted on the Borough’s website; and

WHEREAS, on December 4, 2009, proposals for this professional service were publicly opened; and

WHEREAS, Gebhardt & Kiefer has submitted a proposal dated November 30, 2009 indicating they will provide the above-referenced services at the rates listed in their fee schedule for Municipal Attorney Services; and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

0-01-20-155-000-027

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Gebhardt & Kiefer as described herein; and,

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Gebhardt & Kiefer.

**Resolution #8-2010 – Municipal Prosecutor**

The following Resolution was moved by Cioni, seconded by Housel and adopted.

Roll Call: Higgins, Boyle, Valentine, Housel, Gleba, Cioni and McDonald.

Ayes: 7, Nays: 0

Motion Carried

**Resolution 8-2010**

**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT  
WITH ROGER SKOOG FOR MUNICIPAL PROSECUTOR SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Prosecutor; and

WHEREAS, the Borough Council of the Borough of Washington is awarding this contract under a “fair and open process” that has included public solicitation of qualifications; and

WHEREAS, publicly advertised requests for qualifications were posted on the Borough’s website; and

WHEREAS, on November 10, 2009, proposals for this professional service were publicly opened; and

WHEREAS, Roger Skoog has submitted a proposal dated November 9, 2009 indicating he will provide the above-referenced services for a cost of \$21,600.00; and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

0-01-25-275-000-028

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Roger Skoog as described herein; and,

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Roger Skoog.

**Resolution #9-2010 – Public Defender**

The following Resolution was moved by Housel, seconded by Valentine and adopted.

Roll Call: Valentine, Boyle, Cioni, Housel, Gleba, and McDonald. - Yes  
Higgins - Abstain

Ayes: 6, Nays: 0  
Abstention: 1 Higgins  
Motion Carried.

**Resolution 9-2010**  
**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT**  
**WITH WINEGAR, WILHELM, GLYNN & ROEMERSMA**  
**FOR MUNICIPAL PUBLIC DEFENDER SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Public Defender as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Winegar, Wilhelm, Glynn & Roemersma has submitted a proposal dated December 2, 2009 indicating they will provide the above-referenced services for cost of \$200.00 per case; and

WHEREAS, Winegar, Wilhelm, Glynn & Roemersma has completed and submitted a Business Entity Disclosure Certification which certifies that Winegar, Wilhelm, Glynn & Roemersma has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Winegar, Wilhelm, Glynn & Roemersma from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

0-01-43-495-000-027

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Winegar, Wilhelm, Glynn & Roemersma as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Winegar, Wilhelm, Glynn & Roemersma.

**Resolution 10#2009 – Municipal Auditor**

The following Resolution was moved by Housel, seconded by Cioni and adopted.

Roll Call: Boyle, Gleba, Housel, McDonald, Higgins, Cioni and Valentine.

Ayes: 7, Nays: 0

Motion Carried

**Resolution 10-2010**  
**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT**  
**WITH FERRAILO, WIELKOTZ, CERULLO & CUVA**  
**FOR MUNICIPAL AUDITING SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Certified Municipal Auditor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Ferraiolo, Wielkocz, Cerullo & Cuva has submitted a proposal dated October 27, 2009 indicating they will provide the above-referenced services for a cost of \$24,850.00; and

WHEREAS, any additional work above and beyond the base services will be charged in accordance with the hourly fee schedule provided in the above-referenced proposal only if authorized by the Borough Council of the Borough of Washington; and

WHEREAS, Ferraiolo, Wielkocz, Cerullo & Cuva has completed and submitted a Business Entity Disclosure Certification which certifies that Ferraiolo, Wielkocz, Cerullo & Cuva has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Ferraiolo, Wielkocz, Cerullo & Cuva from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

0-01-20-135-000-028

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Ferraiolo, Wielkocz, Cerullo & Cuva as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Ferraiolo, Wielkocz, Cerullo & Cuva.

**Resolution #11 –2010 Waste Water Consultant**

The following Resolution was moved by Housel, seconded by Cioni and adopted.

Roll Call: Higgins, Valentine, Boyle, Gleba, Housel, Cioni and McDonald.

Ayes: 7, Nays: 0

Motion Carried

**Resolution 11-2010**  
**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT**  
**WITH SUBURBAN CONSULTING ENGINEERS**  
**FOR WASTEWATER CONSULTING SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Wastewater Consultant as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Suburban Consulting Engineers has submitted a proposal dated December 1, 2009 indicating they will provide the above-referenced services at the rates listed in their fee schedule for Wastewater Consulting Services; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of \$20,000.00, excluding escrow-related services; and

WHEREAS; any additional work above and beyond the base Wastewater Consulting Services charged in accordance with the hourly fee schedule stated above only if authorized by the Borough Council of the Borough of Washington; and

WHEREAS, Suburban Consulting Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Suburban Consulting Engineers has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Suburban Consulting Engineers from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

0-05-55-502-000-028

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Suburban Consulting Engineers as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Suburban Consulting Engineers.

**Resolution #12-2010– Municipal Engineer**

The following Resolution was moved by Cioni, seconded by Valentine and adopted.

Roll Call: Higgins, Valentine, Cioni, Housel, Gleba, McDonald. - Yes  
Boyle - No

Ayes: 6, Nays: 1  
Motion Carried

**Resolution 12-2010**  
**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT**  
**WITH SUBURBAN CONSULTING ENGINEERS**  
**FOR GENERAL MUNICIPAL ENGINEERING SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Suburban Consulting Engineers has submitted a proposal dated December 1, 2009 indicating they will provide the above-referenced services at the rates listed in their fee schedule for General Municipal Engineering Services; and

WHEREAS, for budgetary purposes, the Borough Council of the Borough of Washington would like to have this contract reflect a not to exceed amount of \$45,000.00, excluding escrow-related services; and

WHEREAS; any additional work above and beyond the base General Engineering Services charged in accordance with the hourly fee schedule stated above only if authorized by the Borough Council of the Borough of Washington; and

WHEREAS, Suburban Consulting Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Suburban Consulting Engineers has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Suburban Consulting Engineers from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified to the Borough Clerk that funds are available in the following budget account:

0-01-20-165-000-028

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Suburban Consulting Engineers as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Suburban Consulting Engineers.

**Resolution #13-2010 – Redevelopment Attorney**

The following Resolution was moved by Housel, seconded by Cioni and adopted.

Councilman Boyle noted for the record that this service is no longer needed.

Roll Call: Valentine, Housel, and McDonald. – Yes  
Higgins, Boyle – No  
Gleba - Abstain

Ayes: 3, Nays: 2  
Abstain: 1

Motion Carried

**Resolution 13-2010**

**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT  
WITH MCMANIMON & SCOTLAND  
FOR MUNICIPAL REDEVELOPMENT ATTORNEY SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Redevelopment Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, McManimon & Scotland has submitted a proposal dated November 30, 2009 indicating they will provide the above-referenced services at the rates listed in their fee schedule for Redevelopment Attorney Services; and

WHEREAS, McManimon & Scotland has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon & Scotland has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the McManimon & Scotland from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by McManimon & Scotland.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with McManimon & Scotland as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and McManimon & Scotland.

**Resolution #14-2010 Establishing Meetings for the Year of 2010**

The following Resolution was moved by Cioni, seconded by Gleba and adopted.

Councilman Housel asked if the Borough can advertise all legal notices in the Express Times. Borough Clerk, Kristine Blanchard stated it is much more expensive to advertise in the Express Times.

Roll Call: Valentine, Boyle, Housel, Cioni, Gleba, and McDonald. – Yes  
Higgins - No

Ayes: 6, Nays: 1  
Motion Carried

### **RESOLUTION 14-2010**

### **OPEN PUBLIC MEETINGS ACT**

**WHEREAS**, pursuant to the Open Public Meetings Act, P.L. 1975, C.231, the Borough of Washington is required to file and post certain notices of public meetings of the Common Council of the Borough of Washington; and

**WHEREAS**, among the obligations imposed upon the Borough of Washington is the obligation to file the said notices with the newspaper of general circulation circulating in the Borough of Washington; and

**WHEREAS**, a schedule of regular meetings must be prepared, posted and filed within (7) seven days of the date of the annual reorganization meeting of the Common Council.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Common Council of the Borough of Washington, County of Warren, State of New Jersey, that the **Star Gazette**, a newspaper published in the Town of Hackettstown, and circulating in the Borough of Washington and the **Express Times**, a newspaper published in the Town of Easton, be designated as the newspapers to which all notices of regular and special meetings of the Common Council shall be transmitted, pursuant to the provisions of the Open Public Meetings Act, P.L. 1975 C. 231.

**BE IT FURTHER RESOLVED**, by the Authority aforesaid that a copy of the attached **Schedule of Regular Meetings** be furnished to any member of the public requesting same, upon the payment by such person of the sum of \$1.00 to the Borough of Washington, said charge to cover the cost of duplicating the same and the administrative expense of compliance with the request, all as required by the Open Public Meeting Act.

### **SCHEDULE OF 2010 REGULAR MEETINGS**

### **BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY**

**Council Chambers 7:30 pm**

**REGULAR MEETINGS:**

January 5, 2010	July 6, 2010
January 19, 2010	July 20, 2010
February 2, 2010	August 3, 2010
February 16, 2010	August 17, 2010
March 2, 2010	September 7, 2010
March 16, 2010	September 21, 2010
April 6, 2010	October 5, 2010
April 20, 2010	October 19, 2010
May 4, 2010	November 3, 2010 **
May 18, 2010	November 15, 2010*
June 1, 2010	December 7, 2010
June 15, 2010	December 21, 2010

Official Action May be Taken

\*\* Wednesday Meeting

\* Monday Meeting

**ORGANIZATIONAL MEETING:** January 4, 2011

Any business that requires Council consideration and action at a particular meeting must be in the Borough Manager's or Borough Clerk's office no later than the close of business on Thursday preceding the meeting date.

**Resolution #15-2010 – Planning Board Member – Class III**

The following Resolution was moved by Housel, seconded by Cioni and adopted.

Roll Call: Housel, Cioni, Gleba, McDonald, Valentine, Higgins, Boyle

Ayes: 7, Nays: 0

Motion Carried

**RESOLUTION 15-2010**

**PLANNING BOARD – EMPLOYEE MEMBER**

**CLASS III MEMBER**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is now governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, under this plan the Mayor is directed and authorized to appoint certain members of the Planning Board.

**BE IT RESOLVED**, that a Council Representative, **Class III Member** hereby is appointed to serve.

**Name**

**JOHN VALENTINE**

Term to expire on **January 1, 2011**.

The above Declaration was an appointment made by the Mayor with Council consent.

**Resolution #16-2010 – Business Improvement District Member**

Resolution 16-2010 was moved by Housel, seconded by Boyle and adopted.

Roll Call: Higgins, Gleba, Housel, Valentine, Boyle, Cioni, and McDonald.

Ayes: 7, Nays: 0  
Motion Carried.

**RESOLUTION 16-2010**

**BUSINESS IMPROVEMENT DISTRICT**  
**BOARD MEMBER**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, under this plan the Mayor of the Borough is to appoint a Council member to the Business Improvement District Board with the consent of the Borough Council; and

**WHEREAS**, the Mayor has designated the following person his appointee;

**WHEREAS**, The Council does approve of this appointment.

**NOW, THEREFORE, BE IT RESOLVED**, that the following named person is appointed to the BID BOARD for a term ending **1/01/2011**

Dave Higgins

**Resolution #17-2010 – Designating the Borough Manager as the Statewide Insurance Fund Commissioner and the Borough Clerk as the Alternate Commissioner.**

The following Resolution was moved by Higgins, seconded by Boyle and adopted.

Roll Call: Boyle, Valentine, Higgins, Housel, Gleba, Cioni, and McDonald.

Ayes: 7, Nays: 0

Motion Carried.

**STATEWIDE INSURANCE FUND**

**RESOLUTION APPOINTING FUND COMMISSIONER**

**WHEREAS**, Borough of Washington (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Fund’s Bylaws require participating members to appoint a Fund Commissioner;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the that Richard Phelan is hereby appointed as the Fund Commissioner for the Local Unit; and

**BE IT FURTHER RESOLVED** that Kristine Blanchard is hereby appointed as the Alternate Fund Commissioner for the Local Unit; and

**BE IT FURTHER RESOLVED** that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

**Resolution #18-2010 – Authorizing Tax Assessor and Legal Counsel to Prosecute Tax Appeals before the Warren County Board of Taxation**

Resolution 18-2010 was moved on a motion made by Higgins, seconded by Boyle and adopted.

Roll Call: Higgins, Boyle Gleba, McDonald, Housel, Cioni, Valentine

Ayes: 7, Nays: 0

Motion Carried

**Resolution 18-2010**

**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT WITH RICHARD M. CONLEY FOR MUNICIPAL TAX APPEAL ATTORNEY SERVICES.**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Tax Appeal Attorney; and

WHEREAS, the Borough Council of the Borough of Washington is awarding this contract under a “fair and open process” that has included public solicitation of qualifications; and

WHEREAS, publicly advertised requests for qualifications were posted on the Borough’s website; and

WHEREAS, on November 10, 2009, proposals for this professional service were publicly opened; and

WHEREAS, Richard M. Conley has submitted a proposal dated November 6, 2009 indicating he will provide the above-referenced services at the rates listed in their fee schedule for Tax Appeal Attorney Services; and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Richard M. Conley.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Richard M. Conley as described herein; and,

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Richard M. Conley.

**Resolution #19-2010 Appointing Risk Manager**

Resolution 19-2010 was moved by Housel, seconded by Cioni and adopted.

Roll Call: Housel, Cioni, Valentine, McDonald, Gleba, Boyle, Higgins

Ayes: 7, Nays: 0  
Motion Carried

**RESOLUTION 19 - 2010**

**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT FOR THE  
BOROUGH OF WASHINGTON COUNTY OF WARREN STATE OF NEW JERSEY  
FOR THE YEAR 2010**

**WHEREAS**, the Borough of Washington (hereafter "LOCAL UNIT") has joined the Statewide Insurance Fund (hereinafter "FUND"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq; and

**WHEREAS**, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the FUND; and

**WHEREAS**, the FUND has requested its members to appoint individuals or entities to that position; and

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Washington in the County of Warren and State of New Jersey, as follows:

The Borough of Washington hereby appoints Wayne F. Dietz of D&H Alternative Risk Solutions as its local Risk Management Consultant for the year 2010

**Resolution 20-2010 Municipal Bond Attorney**

Resolution 20-2010 was moved on a motion made by Cioni, seconded by Gleba and adopted.

Roll Call: Cioni, Gleba, Housel, Valentine, McDonald, Higgins, Boyle

Ayes: 7, Nays: 0  
Motion Carried

**Resolution 20-2010**

**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT  
WITH HAWKINS, DELAFIELD & WOOD FOR BOND ATTORNEY SERVICES**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Bond Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Purchasing Agent has certified that the costs of this contract may or will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Hawkins, Delafield & Wood has submitted a proposal dated October 27, 2009 indicating they will provide the above-referenced services at the rates listed in their fee schedule for Bond Attorney Services; and

WHEREAS, Hawkins, Delafield & Wood has completed and submitted a Business Entity Disclosure Certification which certifies that Hawkins, Delafield & Wood has not made any reportable contributions to a political or candidate committee in the Borough of Washington in the previous one year, and that the contract will prohibit the Hawkins, Delafield & Wood from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Hawkins, Delafield & Wood.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Hawkins, Delafield & Wood as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Hawkins, Delafield & Wood.

**Resolution 21-2010 Municipal Planner**

Resolution 21-2010 was moved by Housel, seconded by Valentine and adopted.

Councilman Boyle noted for the record that this service is no longer needed. Councilwoman Gleba concurred.

Roll Call: Housel, Valentine, Cioni, McDonald - Yes  
Higgins, Boyle - No  
Gleba - Abstain

Ayes: 4, Nays: 2  
Abstain: 1

**Resolution 21-2010**

**RESOLUTION AUTHORIZING 2010 PROFESSIONAL SERVICES CONTRACT WITH HEYER, GRUEL & ASSOCIATES FOR MUNICIPAL PLANNER SERVICES.**

WHEREAS, the Borough Council of the Borough of Washington has a need to contract the services of a Municipal Planner; and

WHEREAS, the Borough Council of the Borough of Washington is awarding this contract under a “fair and open process” that has included public solicitation of qualifications; and

WHEREAS, publicly advertised requests for qualifications were posted on the Borough’s website; and

WHEREAS, on November 10, 2009, proposals for this professional service were publicly opened; and

WHEREAS, Heyer, Gruel & Associates has submitted a proposal dated November 5, 2009 indicating they will provide the above-referenced services at the rates listed in their fee schedule for Municipal Planner Services; and

WHEREAS, the Chief Financial Officer will certify to the Borough Clerk the availability of funds on an as-needed basis at the time when the Borough needs the services provided by Heyer, Gruel & Associates.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Washington to enter into a contract with Heyer, Gruel & Associates as described herein; and,

BE IT FURTHER RESOLVED that notice of this appointment will be published as required by law within ten days of the passage of this resolution; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Chief Financial Officer and Heyer, Gruel & Associates.

**Resolution 22-2010 Appointment to Planning Board**

Resolution 22-2010 was moved on a motion made by Cioni, seconded by Gleba and adopted.

Roll Call: Cioni, Gleba, Valentine, Housel, McDonald, Higgins, Boyle

Ayes: 7, Nays: 0

Motion Carried

**RESOLUTION 22-2010**

**PLANNING BOARD – CITIZEN MEMBER**

**CLASS IV MEMBER**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is now governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, under this plan the Mayor is directed and authorized to appoint certain members of the **Planning Board**.

I do hereby appoint the following named person as a **Class IV Member** to the **Planning Board**, term to expire December 31, 2014.

**Pat Post**  
**Name**

**Resolution 23-2010 Employee Appointment to Planning Board**

Resolution 23-2010 was moved on a motion made by Cioni, seconded by Housel and adopted.

Councilman Boyle noted that this position should be filled by the Borough Manager.

Roll Call: Cioni, Housel, McDonald, Valentine – Yes  
Higgins, Boyle – No  
Gleba – Abstain

Ayes: 4, Nays: 2

Abstention: 1

Motion Carried

**RESOLUTION 23-2010**

**PLANNING BOARD – COUNCIL MEMBER**

**CLASS II MEMBER**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is now governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, under this plan the Mayor is directed and authorized to appoint certain members of the Planning Board.

**BE IT RESOLVED**, that a Borough Official, **Class II Member** hereby is appointed to serve.

Kristine Blanchard

Term to expire on **January 1, 2011.**

The above Declaration was an appointment made by the Mayor with Council consent.

**Resolution #24-2010 – Appointment to Board of Adjustment**

Resolution 24-2010 was moved on a motion made by Housel, seconded by Cioni and adopted.

Ayes: 7, Nays: 0  
Motion Carried

**RESOLUTION 24-2010**

**BOARD OF ADJUSTMENT**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, under this plan the Borough Council is directed and authorized to appoint members of the Board of Adjustment.

**WHEREAS**, the Borough Council has designated the following person his appointee;

**WHEREAS**, The Council does approve of this appointment.

**NOW, THEREFORE, BE IT RESOLVED**, that the following named person is appointed to the Board of Adjustment for a term ending **12/31/2014.**

Chris Vitalos

**Resolution 25-2010 Appointment to the Board of Adjustment**

Resolution 25-2010 was moved on a motion made by Cioni, seconded by Gleba and adopted.

Ayes: 7, Nays: 0  
Motion Carried

**RESOLUTION 25-2010**

**BOARD OF ADJUSTMENT**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is governed by Plan "E" of Municipal Charter Law; and

**WHEREAS**, under this plan the Borough Council is directed and authorized to appoint members of the Board of Adjustment.

**WHEREAS**, the Borough Council has designated the following person his appointee;

**WHEREAS**, The Council does approve of this appointment.

**NOW, THEREFORE, BE IT RESOLVED**, that the following named person is appointed to the Board of Adjustment for a term ending **12/31/2014**.

James Chloros

**Resolution 26-2010 Appointment to the Recreation Committee**

Resolution 26-2010 was moved on a motion made by Boyle, seconded by Housel and adopted.

Ayes: 7, Nays: 0  
Motion Carried

**RESOLUTION 26-2010**  
**RECREATION COMMITTEE**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is governed by Plan "E" of Municipal Charter Law; and

**WHEREAS**, under this plan the Mayor of the Borough is to appoint members of the Recreation Committee with the advice and consent of the Council and;

**WHEREAS**, the Mayor has designated the following person his re- appointment to the Recreation Committee:

Erika Kilkinney

Term Expires 12/31/2014

**WHEREAS**, The Council does approve of this appointment.

**Resolution 27-2010 Appointment to Recreation Committee**

Resolution 27-2010 was moved on a motion made by Boyle, seconded by Cioni and adopted.

Ayes: 7, Nays: 0

Motion Carried

**RESOLUTION 27-2010**  
**RECREATION COMMITTEE**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, under this plan the Mayor of the Borough is to appoint members of the Recreation Committee with the advice and consent of the Council and;

**WHEREAS**, the Mayor has designated the following person his re- appointment to the Recreation Committee:

Erika Beth Uporsky

Term Expires 12/31/2014

**WHEREAS**, The Council does approve of this appointment.

**Resolution 28-2010 Appointment to Recreation Committee**

Resolution 28-2010 was moved on a motion made by Boyle, seconded by Cioni and adopted.

Ayes: 7, Nays: 0

Motion Carried

**RESOLUTION 28-2010**  
**RECREATION COMMITTEE**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, under this plan the Mayor of the Borough is to appoint members of the Recreation Committee with the advice and consent of the Council and;

**WHEREAS**, the Mayor has designated the following person his re- appointment to the Recreation Committee:

Paula Aron                      Term Expires 12/31/2014

**WHEREAS**, The Council does approve of this appointment.

**Resolution 29-2010 Appointment to Shade Tree Commission**

Resolution 29-2010 was moved by Valentine, seconded by Boyle and adopted.

Ayes: 7, Nays: 0  
Motion Carried

**RESOLUTION # 29-2010**

**RESOLUTION APPOINTING A MEMBER TO THE  
SHADE TREE COMMISSION**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is now governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, the Borough of Washington, Warren County, New Jersey under this plan is directed and authorized to appoint a **Shade Tree Commission** in accordance with N.J.S.A. 40:64-2 et. seq.

**BE IT RESOLVED**, that the following named person is hereby appointed by the Mayor to serve as a member of the Shade Tree Commission for a term to expire 12/31/2014.

**Lou Starita**

**Name**

**Resolution 30-2010 Appointment to Shade Tree Commission**

**RESOLUTION # 30-2010**

**RESOLUTION APPOINTING A MEMBER TO THE  
SHADE TREE COMMISSION**

**WHEREAS**, the Borough of Washington, Warren County, New Jersey is now governed by Plan “E” of Municipal Charter Law; and

**WHEREAS**, the Borough of Washington, Warren County, New Jersey under this plan is directed and authorized to appoint a **Shade Tree Commission** in accordance with N.J.S.A. 40:64-2 et. seq.

**BE IT RESOLVED**, that the following named person is hereby appointed by the Mayor to serve as a member of the Shade Tree Commission for a term to expire 12/31/2014.

**Lauren Fergeson**

**Name**

**Reappointments for Council Subcommittees**

Mayor Scott McDonald will serve as the Recreation Committee Liaison.  
The remainder have been tabled until the next Council meeting.

**VOUCHERS & CLAIMS:**

Mayor McDonald entertained questions or additions to the vouchers and claims for payment.

Councilman Housel questioned the charge to Rock River for the Police. Manager Phelan stated that we were waiting on a signature from the vendor. Councilman Higgins asked about the \$344.00 charge for water at the park for November and December. Manager Phelan will look into this. It does seem very high.

Hearing no further comments it was therefore moved by Cioni, seconded by Housel that the vouchers and claims be paid in the amount of \$ 414,734.56.

Roll Call: Higgins, Boyle, Valentine, Housel, Gleba, McDonald, Cioni

Ayes: 7, Nays: 0  
Motion Carried.

**Council Comments:**

Councilwoman Gleba – Thanked the volunteers for all that they do for the community.

Councilman Higgins – stated that it will be a challenging year. He also asked about the flag holders for downtown. Manager Phelan was unable to find any. Councilman Higgins will look into using some old ones that are currently on Broad Street.

Councilman Valentine – Wished everyone a happy New Year.

Councilman Cioni – Echoed the comments of Councilman Higgins. Even though it will be a challenging year; we will get through it.

Councilman Housel – Thanked everyone for their support and for the nomination as Deputy Mayor. He also reiterated the comments of Mayor McDonald of the importance of recycling.

Mayor McDonald – Stated that it will be a challenging year and he has reached out to surrounding communities regarding shared services and will continue to do so.

Hearing no further business to come before Council, it was moved by Higgins, seconded by Boyle that the meeting be adjourned at 8:30 p.m..

Ayes: 7, Nays: 0.  
Motion carried.

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Scott McDonald, Mayor

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Kristine Blanchard, RMC Borough Clerk